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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/554,012	10/21/2005	Eric Jos Bert Koerber	NL030409	9923

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EXAMINER

CHAI, LONGBIT

ART UNIT

PAPER NUMBER

2131

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/554,012

Applicant(s)

KOERBER, ERIC JOS BERT

Examiner

Longbit Chai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☒ Claim(s) 1-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Applicant's claim for benefit of foreign priority under 35 U.S.C. 119 (a) – (d) is acknowledged.

The application is filed on 10/21/2005 but is a 371 case of PCT/IB04/50488 application filed 4/22/2004 and has a foreign priority application filed on 4/24/2003.

Preliminary Amendment

2. Examiner acknowledges Preliminary Amendment for the claims filed 10/21/2005. Applicants have amended pending claims 3 – 5, 7 – 9, 12 – 14 and 16 – 18 to correct multiple dependency errors and put the claims in proper form for examination. The submitted amendments have been entered and made of record. Presently, pending claims are 1 – 18.

Claim Objections

3. Claim 31 is objected to because of the following informalities: “the ability to distribute information” should be “an ability to distribute information”. Appropriate correction is required.
4. Regarding claims 1 – 18, Examiner respectfully suggests the drawing numbers, such as “a distributing device (301) to a receiving device (302)” or “the class number assigned to device (301, 302)” to be removed from the claims to minimize the

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dependency between the claims and the drawings so that any number changed in the drawing would not mutually impact the other number used in the claims.

Drawings

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: the drawing number 203 on Figure 2 as recited in claim 10 – see CLAIM: Page 4 Line 6.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 – 3 and 10 – 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (U.S. Patent 6,108,787).

As per claim 1, Anderson teaches a method for distributing information from a distributing device to a receiving device, wherein each device has been assigned a respective level of information distribution authorization (Anderson: Figure 11 and Column 14 Line 18 – 23), the method being characterized in that:

a level of information distribution authorization is denoted by means of a class number (Anderson: Figure 11 and Column 14 Line 18 – 23: the high / low side of network devices can be considered as indicated by a high / low class number); and in that the method comprises the steps of:

verifying, when distribution of information is to be effected from the distributing device to the receiving device, the class number of the receiving device (Anderson: Figure 11, Column 14 Line 18 – 23 and Column 2 Line 53 – 59: the application server intercepts the display command and forwards to either local or remote devices based on

the level of class number and prevents the information flowing the other way around – i.e. an one way information diode); and

Anderson does not disclose expressly distributing information from the distributing device to the receiving device if the receiving device has a lower class number than the distributing device.

However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Anderson to accommodate that the higher side client device has a lower class number and the lower side server has a higher class number because (a) Anderson teaches an one-way information diode where the lower side application server (Figure 11 / Element 58) intercepts the low side application display commands which would otherwise have been used to drive a local display or one within the less classified network 12 and directs those commands to the high side client display application (Figure 11 / Element 52) through the data diode using an appropriate remote display protocol (Anderson: Figure 11 and Column 14 Line 18 – 23) and (b) Examiner notes the higher side client device that may have a certain number of potential users can be obviously assigned a lower class number to meet the claim language – this is also consistent with the disclosure of the instant application that class number is merely served as an assigned level for the purpose of information distribution authorization and the low / high class number may be chosen interchangeably as desired (SPEC: Page 3 Line 19 – 21 / Line 27 – 28).

As per claim 10, Anderson teaches a system for distributing information from a distributing device to a receiving device, wherein each device has been assigned a respective level of information distribution authorization ((Anderson: Figure 11 and Column 14 Line 18 – 23), the system being characterized in that:

each device is arranged with a class number (Anderson: Figure 11 and Column 14 Line 18 – 23: the high / low side of network devices can be considered as indicated by a high / low class number);

the distributing device is arranged with means for verifying, when distribution of information is to be effected from the distributing device to the receiving device, the class number of the receiving device (Anderson: Figure 11 and Column 14 Line 18 – 23 and Column 2 Line 6 – 13 / Line 53 – 59: (a) the application server intercepts the display command and forwards to either local or remote devices based on the level of class number and prevents the information flowing the other way around – i.e. an one way information diode; and (b) Anderson also teaches all information passing through the interface must be encrypted when distributed on the network).

Anderson does not disclose expressly the distributing device is arranged with means for distributing information to the receiving device if the receiving device has a lower class number than the distributing device.

However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Anderson to accommodate that the higher side client device has a lower class number and the lower side server has a higher class number because (a) Anderson teaches an one-way information diode where the lower

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side application server (Figure 11 / Element 58) intercepts the low side application display commands which would otherwise have been used to drive a local display or one within the less classified network 12 and directs those commands to the high side client display application (Figure 11 / Element 52) through the data diode using an appropriate remote display protocol (Anderson: Figure 11 and Column 14 Line 18 – 23) and (b) Examiner notes the higher side client device that may have a certain number of potential users can be obviously assigned a lower class number to meet the claim language – this is also consistent with the disclosure of the instant application that class number is merely served as an assigned level for the purpose of information distribution authorization and the low / high class number may be chosen interchangeably as desired (SPEC: Page 3 Line 19 – 21 / Line 27 – 28).

As per claim 2 and 11, Anderson as modified teaches the class number assigned to a device corresponds to the ability to distribute information from said device to another device, a lower class number indicating a lower ability to distribute information (Anderson: Figure 11 and Column 14 Line 18 – 23 and Column 2 Line 6 – 13 / Line 53 – 59: the higher side client device (assuming a lower class number) indicating as an information sinker / receiver – i.e. a lower ability to distribute information).

As per claim 3 and 12, Anderson as modified teaches at least part of the information to be distributed from the distributing device to the receiving device is encrypted such that said receiving device is able to decrypt the encrypted information if

the receiving device has a lower class number than the distributing device (Anderson: Column 2 Line 6 – 13: all information passing through the interface must be encrypted when distributed on the network).

7. Claims 5 – 7 and 14 – 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (U.S. Patent 6,108,787), in view of Medvinsky (U.S. Patent 2004/0139312).

As per claim 5 and 14, Anderson as modified does not disclose expressly the devices are arranged in a home network.

Medvinsky teaches the devices are arranged in a home network (Medvinsky: Para [0005] Line 5 and Para [0025]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Medvinsky within the system of Anderson as modified because (a) Anderson teaches providing an information diode that allows only one-way information flow depending on the relative classified level between the source and the destination devices (Anderson: Figure 11 and Column 14 Line 18 – 23 and Column 2 Line 6 – 13 / Line 53 – 59) (b) Medvinsky teaches, in a home network environment, the receiving device, alone, should also have sufficiently high security level in order to receive the secured data from the home network (Medvinsky: Para [0005] Line 5, Para [00025] and Para [0007]).

As per claim 6 and 15, Anderson as modified teaches the class numbers are assigned to the devices by a home network supervisor (Medvinsky: Para [0005] Line 5, Para [0025] and Para [0061] Line 11 – 13: a supervisor to manage the content license (determining the security level) in a home network is considered as a home network supervisor).

As per claim 7 and 16, Anderson as modified does not disclose expressly the class numbers are assigned to the devices by a device manufacturer.

Medvinsky teaches the class numbers are assigned to the devices by a device manufacturer (Medvinsky: Para [0012] Line 8 – 10).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Medvinsky within the system of Anderson as modified because (a) Anderson teaches providing an information diode that allows only one-way information flow depending on the relative classified level between the source and the destination devices (Anderson: Figure 11 and Column 14 Line 18 – 23 and Column 2 Line 6 – 13 / Line 53 – 59) (b) Medvinsky teaches the security level of a host device can be placed in a digital certificate along with a corresponding public key at the time of manufacture of a device so that more comprehensive system-wide security levels can be communicated and maintained (Medvinsky: Para [0012] Line 8 – 13).

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8. Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (U.S. Patent 6,108,787), and in view of Simon (U.S. Patent 6,871,276).

As per claim 4 and 13, Anderson as modified does not disclose expressly a device must be assigned a digitally signed class number to qualify itself as an information distributor and receiver.

Simon teaches a device must be assigned a digitally signed class number to qualify itself as an information distributor and receiver (Simon: Column 10 Line 25 – 28 and Column 9 Line 34 – 44).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Simon within the system of Medvinsky as modified because (a) Anderson teaches a digital signature can be used for verification purpose to uniquely identify an information object (Anderson: Column 5 Line 38 – 42 and Column 14 Line 1 – 2) and (b) Simon teaches the security level attribute of the client device is included in the digital certificate and is further encoded into a digital signature for authentication purpose (Simon: Column 10 Line 19 – 28).

9. Claims 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (U.S. Patent 6,108,787), and in view of Coez et al. (U.S. Patent 6,981,044).

As per claim 8 and 17, Anderson as modified does not disclose expressly different sub devices contained in a device can be assigned different class numbers.

Coez teaches different sub devices contained in a device can be assigned different class numbers (Coez: Column 3 Line 3 – 7, Column 2 Line 7 – 10 and Column 3 Line 40 – 44: a device can contain sub-devices with different security levels associated software application executable entities).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Coez within the system of Medvinsky as modified because (a) Anderson teaches a one-way information diode where data can be transferred through a series of multiple devices across different networks with different security rating levels (Anderson: Column 2 Line 53 – 59) and (b) Coez teaches a device can contain a series of sub-devices with different security levels associated software application executable entities (Coez: Column 10 Line 19 – 28) for managing priorities of access of applications to resources of devices linked by a communication network (Coez: Column 1 Line 31 – 34).

10. Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (U.S. Patent 6,108,787), in view of Lofgren et al. (U.S. Patent 6,664,976).

As per claim 9 and 18, Anderson as modified does not disclose expressly the information to be distributed from a distributing device to a receiving device is provided

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with a watermarked class number, the watermarked class number specifying the highest class number that the receiving device can have and still be allowed to receive the information.

Lofgren teaches the information to be distributed from a distributing device to a receiving device is provided with a watermarked class number (Lofgren: Column 9 Line 16 – 19: the security level is embedded in the watermark), the watermarked class number specifying the highest class number that the receiving device can have and still be allowed to receive the information (Lofgren: Column 10 Line 51 – 53 & Anderson: Figure 11, Column 14 Line 18 – 23 and Column 2 Line 53 – 59: Lofgren teaches the verification process determines whether the user's security level of the receiving device is sufficiently corresponds with the received image's security level requirements and Anderson teaches an one-way information diode, assuming the higher side client device has a lower class number and the lower side server has a higher class number as presented above, and the information can only flow from the lower side (higher class number) to the higher side (lower class number) and as such it is obvious that the watermarked class number specifying the highest (in sufficiency) class number that the receiving device can have and still be allowed to receive the information).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Lofgren within the system of Medvinsky because (a) Anderson teaches providing an information diode that allows only one-way information flow depending on the relative classified level between the source and the destination devices (Anderson: Figure 11 and Column 14 Line 18 – 23 and Column 2

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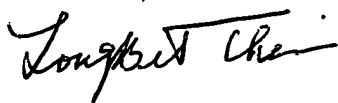
Line 6 – 13 / Line 53 – 59) and (b) Lofgren teaches the security level can be embedded within the watermark and the data access / transfer permission is only granted to those with adequate security level corresponds with the received image's security level requirements (Lofgren: Column 9 Line 16 – 19 and Column 10 Line 51 – 53).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Longbit Chai, Ph.D.
Patent Examiner
Art Unit 2131
3/7/2007